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REMARKS

Claims 1-5, 7-12, and 14-19 are pending in the application. By this Amendment, claims 16-18 are amended. Reconsideration and allowance in view of the foregoing amendments and following remarks are respectfully requested. Claims 16-18 are amended to remove the reference to a "step" related feature.

A. The February 26, 2007 Office Communication - Interview Summary

Applicant notes Examiner Barqadle's comments as set forth in the February 26, 2007 Office Communication (Interview Summary). Applicant confirms that the discussion related to the December 24, 2003 Office Action and the November 5, 2004 Office Action and the variation there between. Further, Examiner Barqadle stated and discussed that it appeared to him that a new grounds of rejection was made in the November 5, 2004 Office Action.

However, of particular note, it was also discussed (with Examiner Barqadle) that the prior Examiner (Examiner Klinger) clearly and expressly conveyed to Applicant that "a new office action would be sent to replace the Non-Final Rejection sent on 5 November 2004." Such indication from Examiner Klinger is set forth in the May 5, 2005 Interview Summary received from Examiner Klinger (copy attached). Also, such indication by Examiner Klinger is discussed in Applicant's February 22, 2006 Communication to Examiner Barqadle.

In reversal of Examiner Klinger's clear and express indication that a new office action would be sent, Examiner Barqadle, in the February 1, 2007 telephone conference and in the February 26, 2007 Interview Summary, has now indicated that Applicant should indeed respond to the November 5, 2005 Office Action.

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Accordingly, **Applicant has taken action based on Examiner Barquale instructions** as set forth in the February 26, 2007 Communication. That is, Applicant hereby provides a response to the November 5, 2004 Office Action (hereinafter the "Office Action"), addressing all outstanding issues.

B. The 35 U.S.C. §112 Rejections

In the Office Action, claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action asserts that claim 1 recites the limitation "the main control card" on line 2, and that there is insufficient antecedent basis for this limitation in the claim.

In response, Applicant notes that claim 1 does not recite such limitation on line 2. Accordingly, withdrawal or clarification of the rejection is respectfully requested.

Applicant respectfully submits that the claims satisfy all requirements of 35 U.S.C. §112.

C. The Rejection of Claims 1, 8 and 15

In the Office Action, claims 1, 2, 8, 9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over GFK-0728A (Programmable Controller IC697BEM763/764, 1 November 1995, hereinafter "GFK-0728A") in view of Kerr et al. (U.S. Patent Number 6,105,119, hereinafter "Kerr"). This rejection is traversed.

The features of claim 1 and the teachings of the applied art have been discussed in Applicant's prior responses.

The Office Action, on page 3, asserts in referring to claim 1, GFK-0728A discloses an interface module that interfaces between drive systems and local area network (LAN) protocols.

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The Office Action further reflects that GFK-0728A shows an interface between a drive and a LAN (Figure 2, on page 3, shows a labeled drawing of the module); and that although GFK-0728A shows substantial features of the claimed invention, GFK-0728A is silent as to the specific circuitry of the interface module. The Office Action concludes that nonetheless the circuitry for interfacing a drive to a LAN is well known in the art and would have been an obvious modification to the system disclosed by GFK-0728A as evidenced by Kerr.

Accordingly, as to this assertion in the Action, the Action proposes to modify GFK-0728A based on teachings that are alleged to be known in the art. However, the Office Action provides no motivation for supporting such assertion. Accordingly, Applicant submits that the rejection is deficient.

That is, Applicant respectfully traverses the rejection as the Action fails to establish a *prima facie* case of obviousness. In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or **motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

Further, as set forth in M.P.E.P 706.02(j), 35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. M.P.E.P 706.02(j) indicates that after indicating that the rejection is under 35 U.S.C. 103, the Examiner should set forth in the Office Action:

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- (A) the **relevant teachings of the prior art relied upon**, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,
- (B) the **difference** or differences in the claim over the applied reference(s),
- (C) the proposed **modification** of the applied reference(s) necessary to arrive at the claimed subject matter, and
- (D) an **explanation** why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

M.P.E.P 706.02(j) references the well known requirements of *Graham v. John Deere*. Further, M.P.E.P 706.02(j) notes that it is important for an Examiner to **properly communicate** the basis for a rejection so that the issues can be identified early and the Applicant can be given fair opportunity to reply.

The particular portion of the rejection set forth above fails to set forth proper motivation (regarding modifying GFK-0728A to include circuitry for interfacing a drive to a LAN) and is thus deficient.

The 35 U.S.C. 103 rejection is otherwise deficient. That is, on page 4, lines 2-3, the Action asserts that in analogous art, Kerr discloses data transfer circuitry that could be used to implement the system of GFK-0728A, and references claims 1, 8, and 15 of Kerr. The Office Action then sets forth various alleged teachings of Kerr, including in particular a **dual port memory**.

The Office Action thereafter asserts that:

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of using the data transfer circuitry of Kerr to implement

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the system of GFK-0728A, in order to permit drives to be controlled from application programs.

Thus, Applicant submits that the Office Action proposes to use the data transfer circuitry of Kerr (including the noted dual port memory of Kerr) in the system of GFK-0728A. That is, the Office Action proposes to modify GFK-0728A using Kerr's teaching of a dual port memory.

The Office Action then goes on:

Although GFK-0728A in view of Kerr shows substantial features of the claimed invention GFK 0728A in view of Kerr **does not show that the interrupt is used to update feedbacks in the dual port memory and read the setpoints from the dual port memory.** Nonetheless the use of feedbacks and setpoints is well known in the art and would have been an obvious use of the dual port memory disclosed by GFK-0728A as evidenced by Kerr. A person of ordinary skill in the art would have readily recognized the desirability and advantages of storing and reading feedbacks and setpoints, in order to control the drive.

Thus, the Office Action is yet further modifying Kerr's teaching of a dual port memory. This is reflected in that the Office Action asserts that "**Kerr does not show**". The Office Action then proposes to modify Kerr. That is, the Office Action is modifying the features of a secondary reference, after such secondary reference has been used to modify the primary reference to GFK-0728A. Such **modification of a modification** clearly extends beyond what would have been obvious. Withdrawal of the rejection is requested.

For at least the reasons set forth above, Applicant submits that the applied art fails to teach or suggest the claimed features, as recited in claim 1. Further, claims 8 and 15 define patentable subject matter for at least reasons similar to some of the reasons set forth above with respect to claim 1.

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Dependent claims 2 and 9 define patentable subject matter for at least the reasons set forth with regard to the corresponding independent claim 1, as well as the additional features such dependent claims recite.

Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

D. The Rejection of Claims 3-5 and 10-12

In the Office Action, claims 3-5 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **GFK0728A** in view of **Kerr** in further view of **GEI-100216** (Drive Control / LAN Communications Board DS200LDCC, May 1997, hereinafter "**GEI-100216**").

The Office Action describes that in referring to claims 3-6 and 10-13, although **GFK-0728A** in view of **Kerr** shows substantial features of the claimed invention, **GFK-0728A** in view of **Kerr** does not explicitly show a stab terminal, a LNPL connector, a 2PL connector or an AC/DC2000 drive; and that nonetheless these features are well known in the art and would have been obvious modifications to the system disclosed by **GFK-0728A** in view of **Kerr** as evidenced by **GEI-100216**.

Applicant submits that even if it were obvious to somehow combine the teachings of **GEI-100216** with the other applied art, **GEI-100216** would still fail to teach or suggest the features of claims 1 and 8 for the reason as set forth above.

Further, Applicant submits that the basis of the rejection is unsupportable and does not fairly teach or suggest the claimed invention.

That is, the Office Action appears to presuppose in the 35 U.S.C. 103 rejection that the alleged combination of **GFK-0728A** and **Kerr** indeed has an interface card, i.e., the Office Action asserts the "interface card of **GFK-0728A** in view of **Kerr**" (see Office Action page 8, line 5), for

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example. However, Applicant submits that the Office Action has not established such teaching of an interface card, nor the manner in which GFK-0728A and Kerr are alleged to provide such teaching. Thus, the basis of the rejection is unsupportable.

Accordingly, it is submitted that GEI-100216 fails to cure the deficiencies of GFK0728A and Kerr, as discussed above. Further, dependent claims 3-5 and 10-12 define patentable subject matter for at least the reasons set forth with regard to the corresponding independent claims, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

E. The Rejection of Claims 7 and 14

The Office Action rejects claims 7 and 14 under 35 U.S.C. 103(a) as being unpatentable over **GFK-0728A** in view of **Kerr** and in further view of **GEH-6380** (Installation Guidance for Innovation Series Drive Systems, 30 June 1999, hereinafter "**GEH-6380**").

The Office Action describes that in referring to claims 7 and 14, although GFK-0728A in view of Kerr shows substantial features of the claimed invention, GFK-0728A in view of Kerr does not explicitly show the LAN is an ISBus LAN. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by GFK-0728A in view of Kerr as evidenced by GEH-6380.

Accordingly, the Office Action attempts to combine GFK0728A and Kerr with the teachings of GEH-6380 so as to allegedly teach the claimed invention. However, Applicant submits that even if it were obvious to somehow combine the applied art, which it is not, the applied art would still fail to teach or suggest the features of claims 1 and 8, for the reasons set forth above.

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That is, GE11-6380 fails to cure the deficiencies of the teachings of GFK0728A and Kerr. Dependent claims 7 and 14 define patentable subject matter for at least the reasons set forth with regard to the corresponding independent claims 1 and 8, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

F. The Rejection of Claims 16-19

The Office Action rejects claims 16-19 under 35 U.S.C. 103(a) as being unpatentable over **GFK-0728A** in view of **Kerr** in view of Dye et al. (U.S. Patent Number 6,523,102, hereinafter "**Dye**").

The Office Action reflects that in referring to claims 16-19, although GFK-0728A in view of Kerr shows substantial features of the claimed invention, GFK-0728A in view of Kerr does not explicitly show the steps of performing a page swap in memory after updating the feedbacks, storing the transmitted setpoints in an external RAM inactive page, and performing an external RAM page swap. The Office Action further asserts that nonetheless these steps are well known in the art and would have been an obvious modification to the system disclosed by GFK-0728A in view of Kerr as evidenced by Dye.

The Office Action asserts teachings of Dye related to using active and inactive pages of memory to store data, and swapping said memory to and from an active page to an inactive page (column 2, lines 61-67). The Office Action asserts that given the teachings of Day, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of GFK-0728A in view of Kerr so as to store memory in inactive and

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active pages, such as taught by Dye, in order to free memory that is no longer in use, to avoid over-committing the memory.

However, it is submitted that GFK0728A and Kerr fail to teach or suggest the claimed features relating to the manipulation of the feedbacks and setpoints as recited in claim 1 and discussed above; and that Dye fails to cure this deficiency with the asserted teachings relating to swapping, for example.

Accordingly, it is submitted that claim 19 recites patentable subject matter for reasons similar to those discussed above with respect to claim 1.

Further, dependent claims 16-18 define patentable subject matter for at least the reasons set forth with regard to the claim 15, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

G. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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No fees are believed due in connection with this filing. However, for any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
HUNTON & WILLIAMS

Dated: March 26, 2007


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Attachment - May 5, 2005 Interview Summary